

18. (Amended) The process claimed in Claim 17, wherein said process includes placing said initial or subsequent plurality of wires or cables through said plurality of openings such that the lowest numbered wire or cable, according to the assigned numerical identity of said wires or cables, is placed through one of the openings of said plurality of openings and each next consecutively numbered wire or cable is placed through each next consecutive opening in the plurality of openings in numerical order until all wires or cables have been placed through said plurality of openings in said guide tool.

Please amend Claim 20 as follows:

20. (Amended) The process claimed in Claim 16, wherein said process includes guiding said subsequent plurality of wires or cables with said guide tool such that said subsequent plurality of wires or cables is guided substantially along said bundle of said initial plurality of wires or cables.

REMARKS

Claims 3, 5, 9, 10, 13, 15, 16, 19, and 21-23 remain in this application as originally written. Claims 4, 6, and 8 are cancelled.

The examiner rejected Claims 1, 2, 7, 11, 12, 14, 17, 18, and 20 under 35 USC § 112. Claims 1, 2, 7, 11, 12, 14, 17, 18, and 20 have been amended to correct these errors.

The examiner rejected Claim 1 as being anticipated by M. Waranch (3,087,984). M. Waranch does not disclose each and every element of the claimed invention as described under Claim 1. Specifically, M. Waranch does not disclose a concavity in the solid composition or an arched opening at an edge of said guide tool. The element (14) referenced by the examiner is not a concavity in the solid composition (identified by the examiner as element 50) and instead is described by M. Waranch as 'a pair of jaws 14 project from the cross member 13. These jaws are spaced sufficiently to resiliently hold a number of conductors 18 together. The jaws 14 are preferably vertically disposed in regard to the fastening plate 10, and extend upwardly facing the back plate 11.' Furthermore, these jaws are intended to hold conductors together, which is not the function of the concavity in the claimed invention. Instead, the concavity in the claimed invention is intended to provide structural support for the tool.

Furthermore, M. Waranch does not disclose an arched opening at an edge of said guide tool. While the examiner references M. Waranch, Figure 1 and element 50, M. Waranch describes

element 50 as ‘a splicing correlator (50) which consists of a frame having a fastening plate 10 adapted for horizontal placement from which a back plate 11 rises vertically in an arcuate form.’ The reference to an arcuate form in M. Waranch’s description of element 50 refers to the shape of the back plate, and does not refer to an arched opening such as the one disclosed in Claim 1 of the claimed invention. This element (50) is not equivalent to the arch referenced in Claim 1 and does not provide an arched opening through which a bundle of wires or cables could pass through, as described in Claim 1. Claim 1 has been modified to further clarify this distinction. Also, in M. Waranch’s Figure 1, the wires or cables (18) are passing through what the examiner identified as the equivalent of the concavity, not the arched opening. In addition, M. Waranch’s invention does not allow for a previously bundled set of wires or cables to pass through an arched opening while simultaneously guiding a subsequent set of wires or cables through the plurality of openings, as disclosed in Claim 1.

In addition, please note that the claimed invention as described in Claim 1 represents a significant advancement for the field. Therefore, the claimed invention is distinguishable from M. Waranch’s invention. M. Waranch’s invention is not a reusable hand tool that can be reused repeatedly on cable installation jobs. It is a wiring fixture designed to affix and identify cables or wires. There are several limitations associated with that invention. M. Waranch’s invention is also too large and cumbersome to allow the user to organize cables in a number of circumstances, including when cables emerge from a ceiling and when cables must be fastened along ceilings and in tight spaces. Cable installers commonly need to bundle wires and cables in such situations. The limitations associated with devices such as M. Waranch’s are discussed further in the specification, paragraphs [0004], [0005], and [0006]. The current invention overcomes these limitations by providing the user with the following:

- A hand tool that is used temporarily to guide wires during installation and which can be used repeatedly to complete numerous cabling jobs;
- A lightweight, compact hand tool that can be used effectively in a variety of situations that M. Waranch’s tool could not be used for (e.g. to organize cables in small spaces, or when cables must be bundled along walls and ceilings).

Claims 2, 3, 5, 7, and 11 are dependent claims on Claim 1. Given the above response to the examiner’s objections to Claim 1 based on anticipation by M. Waranch, Claims 2, 3, 5, 7, and 11 are also not anticipated by M. Waranch.

The examiner rejected the process claimed in Claim 12 as being anticipated by M. Waranch (3,087,984), stating that the apparatus claimed by M. Waranch is capable of performing the process described in Claim 12. M. Waranch’s invention is not capable of performing the process claimed in Claim 12 for the following reasons:

1. The openings in M. Waranch’s invention are designed for gripping wires or cables so that the wires or cables can be pulled by the invention a predetermined distance and, in fact, contain elements designed to prevent the wires or cables from sliding through the openings. The openings of the current invention are designed to allow the cables to easily slide through the openings as the guide tool is slid along the cables.
2. M. Waranch’s invention is too large to be held by the user and used as a tool by the user to guide cables from the point at which they enter a telecommunications room to their

point of termination, which typically requires the user to bundle cables along ceilings and walls, and in tight spaces often created by the racks on which patch panels are located. The current invention is a lightweight hand tool that accommodates these circumstances and allows the user to employ this process from the point of entry into the telecommunications room to the point of termination.

3. M. Waranch's invention is intended to be an installed fixture that holds the wires in place and does not allow for removing the initial plurality of wires or cables and repeated use as a tool. The claimed invention is a reusable tool that allows for the removal of an initial plurality of wires or cables so that the tool can be reused with additional pluralities of cables and on additional cable installation jobs.

Given that Claim 12 is not anticipated by M. Waranch's invention, Claims 13 and 14, which are dependent on Claim 12, are also not anticipated by M. Waranch.

Given that Claim 14 is not anticipated by M. Waranch, Claims 15 and 16, which are dependent on Claim 14, are also not anticipated by M. Waranch.

Given that Claim 16 is not anticipated by M. Waranch, Claim 20, which is dependent on Claim 16, is also not anticipated by M. Waranch.

With respect to Claim 17, the amendment includes additional detail on numerically identifying the cables according to their location in the building. This amendment is supported by paragraph [0029].

Given that Claim 20 is not anticipated by M. Waranch, Claim 21, which is dependent on Claim 20, is also not anticipated by M. Waranch.

Given that Claim 21 is not anticipated by M. Waranch, Claim 22, which is dependent on Claim 21, is also not anticipated by M. Waranch.

Given that Claim 22 is not anticipated by M. Waranch, Claim 23, which is dependent on Claim 22, is also not anticipated by M. Waranch.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

Your consideration of applicant's amendment is greatly appreciated. Please feel free to contact me should you have any questions (518.797.3100).

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas F. Spain", written in a cursive style.

Thomas F. Spain